

REMARKS

Claim 1 is amended to recite that the method features peer-to-peer forwarding of content between two mobile phones communicating in a cellular network via a network infrastructure. In operation, a mobile phone sender sends an initial message having an international mobile equipment identity, a mobile phone sender name or mobile station international integrated subscriber digital network number to a mobile phone recipient and encrypts protected content or content encryption key, and the mobile phone recipient consumes the protected content without requiring content personalization assistance from the network infrastructure of the cellular network.

To the extent that the prior art rejection might be applied to claim 1, as amended, it is respectfully traversed for the following reasons:

First, claim 1 clearly recites a method featuring peer-to-peer forwarding of content between two mobile phones communicating in a cellular network via a network infrastructure. In contrast, Safadi, et al. discloses apparatus having a playback area network (PAN) 20 for coupling a personal versatile recorder (PVR) 10 to auxiliary device or components 30. Although Safadi et al. discloses that its receiver/playback device 30 may take the form of a cellular phone, it is respectfully submitted that Safadi et al. clearly does not teach or suggest that the playback area network 20 is a cellular network having two mobile phone communicating via a cellular network infrastructure, as claimed. Because of this, it is respectfully submitted that Safadi et al. does not teach or suggest peer-to-peer forwarding of content between two such mobile phones communicating in such a cellular network via such a network infrastructure, as claimed.

Second, claim 1 also recites that the method features a mobile phone sender sending an initial message having an international mobile equipment identity, a mobile phone sender name or mobile station international integrated subscriber digital network number to a mobile phone recipient and encrypting protected content or content encryption key. In contrast, Safadi, et al. describes the PVR 10 as a digital compression device that functions as a caching and distribution gateway for the transfer of multimedia content from the system operator and affiliated content provider, as set forth on page 2, paragraph [0030]. The PVR 10 may be either integrated into a set-top terminal or housed separately as a stand-alone unit, as set forth on page 2, paragraph [0031]. In either case, it is respectfully submitted that the PVR 10 is not a mobile phone sender that send an initial message having an international mobile equipment identity, a mobile phone sender name or mobile station international integrated subscriber digital network number, as claimed. It is respectfully submitted that Safadi, et al., page 3, paragraph [0036] does not teach this feature in contrast to the reasoning set forth in the office action. Instead, the PVR 10 is a very different device than a mobile phone and does not send any such mobile phone information such as an international mobile equipment identity, a mobile phone sender name or mobile station international integrated subscriber digital network number, as claimed.

Third, claim 1 also recites that the method features the mobile phone recipient consuming the protected content without requiring content personalization assistance from the network infrastructure of the cellular network. In view of the above, it is

respectfully submitted that Safadi, et al. does not teach or suggest that the auxiliary device or component 30 consumes the protected content without requiring content personalization assistance from the network infrastructure of the cellular network. Clearly, the PAN 20 is not a cellular network and does not have a cellular network infrastructure, as claimed.

The remaining independent claims recite, e.g., a cellular network or a mobile phone, that contain similar limitations and are deemed patentable over the cited prior art for all the same reasons. For example, it is respectfully submitted that Safadi, et al. apparatus shown in Figure 1 is structurally and functionally very different from the claimed cellular network and mobile phone.

The remaining claims depend directly or indirectly from the main independent claims, contain all the limitations thereof, and are deemed patentable over the cited prior art for all the same reasons.

For all these reasons, the claimed invention is patentable over the cited prior art.

Reconsideration and early allowance is earnest solicited.

Respectfully submitted,

/William J. BARBER/
William J. Barber
Attorney for the Applicant
Registration No. 32,720

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Customer No. 004955
Bradford Green, Building Five
755 Main Street, P.O. Box 224
Monroe, CT 06468
(203) 261-1234